



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

AUG 18 2014

CERTIFIED MAIL 7010 1060 0002 1705 3474
RETURN RECEIPT REQUESTED

Mr. Jeff Cummins
Director, Division of Enforcement
Kentucky Department of Environmental Protection
300 Fair Oaks Lane
Frankfort, Kentucky 40601

Re: Notice of Violation No.: 309-2014-13
National Pollutant Discharge Elimination System Permit No.: KY0021211
City of Mayfield STP

Dear Mr. Cummins:

Pursuant to Section 309(a)(1) of the Clean Water Act, 33 U.S.C. § 1319(a)(1), the U. S. Environmental Protection Agency Region 4 has determined that the City of Mayfield STP (the City) is in violation of its National Pollutant Discharge Elimination System Permit No.: KY0021211 (Permit) and has violated, at a minimum, effluent requirements for the parameters summarized here: PH and Total Recoverable Copper. The EPA is simultaneously notifying the City of these findings through the issuance of a Notice of Violation (NOV). A copy of the NOV to the City is enclosed for your convenience and record.

If the Commonwealth of Kentucky (Commonwealth) commences appropriate action within 30 days of receipt of this letter to ensure that the City achieves expeditious compliance with its Permit, additional involvement by the EPA may not be required. However, if the Commonwealth does not take such an action, the EPA may then take the necessary steps to require the City to come into compliance. Please advise the EPA within 15 days of receipt of this letter of the action(s) you plan to take in this matter to ensure that the City achieves expeditious compliance with its Permit requirements. If a formal enforcement action is taken, please provide a copy of the applicable documents for our records.

If you have questions regarding this NOV, please contact Mr. Maurice Horsey, of my staff, at (404) 562-9764 or via e-mail at Horsey.Maurice@epa.gov.

Sincerely,



James D. Giattina
Director
Water Protection Division

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER

61 FORSYTH STREET

ATLANTA, GEORGIA 30303-8960

AUG 18 2014

CERTIFIED MAIL 7010 1060 0002 1705 3481

RETURN RECEIPT REQUESTED

Mr. Kevin Leonard
Mayfield Electric and Water Systems
301 East Broadway
Mayfield, Kentucky 42066

Re: Notice of Violation No.: 309-2014-13
Information Request pursuant to 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: KY0021211
City of Mayfield STP

Dear Mr. Leonard:

Pursuant to Section 309(a)(1) of the Clean Water Act (CWA), 33 U.S.C. §1319(a)(1), the U.S. Environmental Protection Agency Region 4 hereby notifies the City of Mayfield STP (City) that it has violated its National Pollutant Discharge Elimination System Permit No: KY0021211 (Permit). Specifically, the City has violated effluent requirements for the parameters and months summarized below:

Parameter	Violation	Limit	Measurement	Outfall	Reporting Period
Copper, total recoverable	MO AVG	0.0093 mg/L	0.027 mg/L	001	10/31/2013
Copper, total recoverable	WKLY AVG	0.014 mg/L	0.027 mg/L	001	10/31/2013
Copper, total recoverable	MO AVG	0.0093 mg/L	0.017 mg/L	001	11/30/2013
Copper, total recoverable	WKLY AVG	0.014 mg/L	0.017 mg/L	001	11/30/2013
Copper, total recoverable	MO AVG	0.0093 mg/L	0.018 mg/L	001	12/31/2013
Copper, total recoverable	WKLY AVG	0.014 mg/L	0.018 mg/L	001	12/31/2013
Copper, total recoverable	MO AVG	0.0093 mg/L	0.013 mg/L	001	01/31/2014
pH	Incomplete DMR			001	12/31/2012
Copper, total recoverable	MO AVG	0.0077	0.019	001	01/31/2011
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.019 mg/L	001	01/31/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.029 mg/L	001	02/28/2011
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.029 mg/L	001	02/28/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.034 mg/L	001	03/31/2011
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.034 mg/L	001	03/31/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.111 mg/L	001	04/30/2011
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.111 mg/L	001	04/30/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.014 mg/L	001	05/31/2011
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.014 mg/L	001	05/31/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.011 mg/L	001	06/30/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.008 mg/L	001	07/31/2011

Internet Address (URL) • <http://www.epa.gov>

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Parameter	Violation	Limit	Measurement	Outfall	Reporting Period
Copper, total recoverable	MO AVG	0.0077 mg/L	0.01 mg/L	001	08/31/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.011 mg/L	001	09/30/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.014 mg/L	001	10/31/2011
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.014 mg/L	001	10/31/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.02 mg/L	001	11/30/2011
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.02 mg/L	001	11/30/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.011 mg/L	001	12/31/2011
Copper, total recoverable	MO AVG	0.0077 mg/L	0.011 mg/L	001	01/31/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.014 mg/L	001	02/29/2012
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.014 mg/L	001	02/29/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.008 mg/L	001	04/30/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.012 mg/L	001	05/31/2012
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.012 mg/L	001	05/31/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.011 mg/L	001	06/30/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.022 mg/L	001	07/31/2012
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.022 mg/L	001	07/31/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.019 mg/L	001	08/31/2012
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.019 mg/L	001	08/31/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.02 mg/L	001	09/30/2012
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.02 mg/L	001	09/30/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.037 mg/L	001	11/30/2012
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.037 mg/L	001	11/30/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.015 mg/L	001	12/31/2012
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.015 mg/L	001	12/31/2012
Copper, total recoverable	MO AVG	0.0077 mg/L	0.013 mg/L	001	01/31/2013
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.013 mg/L	001R	01/31/2013
Copper, total recoverable	MO AVG	0.0077 mg/L	0.014 mg/L	001R	02/28/2013
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.014 mg/L	001R	02/28/2013
Copper, total recoverable	MO AVG	0.0077 mg/L	0.015 mg/L	001R	03/31/2013
Copper, total recoverable	DAILY MX	0.0113 mg/L	0.015 mg/L	001R	03/31/2013
Copper, total recoverable	MO AVG	0.0077 mg/L	0.01 mg/L	001R	04/30/2013
Copper, total recoverable	MO AVG	0.0077 mg/L	0.009 mg/L	001R	05/31/2013
Copper, total recoverable	MO AVG	0.0077 mg/L	0.008 mg/L	001R	07/31/2013
Copper, total recoverable	MO AVG	0.0077 mg/L	0.014 mg/L	001R	08/31/2013

The EPA requests, pursuant to Section 308 of the CWA, 33 U.S.C. §1318, that the City provide a written explanation of the reasons for each of the aforementioned violations and any other effluent violations that may have occurred from January 1, 2014, to the present and provide a summary of actions taken or planned by the City to correct the problems and to prevent future violations. In instances where the actions are planned, please include a schedule for completing the actions.

All information submitted must be accompanied by the following certification signed by a responsible official:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the

information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim are found in Enclosure A.

The City must submit this information within 30 days of receipt of this correspondence. The submittal must be addressed to:

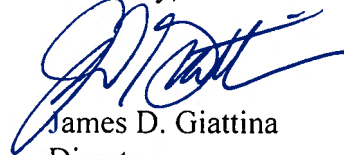
Mr. Namon Mathews
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The Commonwealth of Kentucky (Commonwealth) is being concurrently notified of these findings. The EPA is coordinating with the Commonwealth to ensure that timely and appropriate enforcement action is taken and compliance with the conditions of the Permit is achieved.

If these violations are not resolved in a timely or appropriate manner and/or the City fails to respond to the information request, the EPA may take enforcement action, which may include issuance of an administrative order, assessment of administrative penalties or initiation of a civil judicial action pursuant to Section 309 of the CWA, 33 U.S.C. §1319.

If you have questions regarding this notice and information request, please contact Mr. Mathews at (404) 562-9777 or via e-mail at mathews.namon @epa.gov.

Sincerely,



James D. Giattina
Director
Water Protection Division

Enclosure

cc: Mr. Jeff Cummins
Kentucky Department for Environmental Protection

ENCLOSURE A

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS (40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that EPA is requesting from you. The EPA regulation relating to business confidentiality claims are found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, EPA may make the information available to the public without any further notice to you.

40 C.F.R. §2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.

